IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 44207-M of 2006

DATE OF DECISION : 15.02.2007

Girdhari and others

.... PETITIONERS

Versus

State of Haryana and another

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. N.K. Sanghi, Advocate,
for the petitioners.

Mr. Himanshu Raj Munjal, AAG, Haryana.

Mr. R.D. Yadav, Advocate,
for respondent No.2.

* * *

The petitioners have filed this petition under Section 482 of the Code of Criminal Procedure for quashing of case FIR No. 403 dated 13.12.2000 under Sections 498-A, 406/34 IPC, registered at Police Station City, Rewari, and the consequential proceedings.

In pursuance of the notice issued by this Court, respondent No.2-complainant filed reply stating that the matter has been compromised and she has no objection if the aforesaid FIR and the subsequent proceedings are quashed. Today, respondent No.2 and her father are present in court. She has made the following statement, which has been counter-signed by her counsel :-

> "My marriage was solemnized on 19.11.1999 with petitioner No.6 Brij Bhushan son of Girdhari Lal. After the marriage, due to the harassment caused to me by my husband

and his other family members, I was compelled to lodge FIR No. 403 dated 13.12.2000 under Sections 498-A, 406/34 IPC at Police Station City, Rewari. When the said case was pending before the trial court at Rewari, amicable settlement was arrived at between me and my husband and in view of the said amicable settlement, mutual divorce petition was filed at Delhi on 12.4.2006. On the statement made by both the parties and in view of the amicable settlement, decree of divorce by mutual consent has been granted by Additional District Judge, Delhi on 18.10.2006. I am placing on record certified copy of the said decree on the file of this case. In view of this amicable settlement, nothing is due against Brij Bhushan and I have no objection if the aforesaid FIR is quashed."

I have heard the arguments of learned counsel for the parties.

Keeping in view the aforesaid statement made by respondent No.2 and the settlement arrived at between the parties, I am of the opinion that since the parties have compromised the matter and the marriage between petitioner No.6 and respondent No.2 has already been dissolved, therefore, no useful purpose will be served by continuing with the criminal proceedings in the instant FIR. I am satisfied that the settlement arrived at between the parties is bonafide. Therefore, in view of the aforesaid statement of respondent No.2, the fact that the parties have compromised the matter and the law laid down by the Supreme Court in ***B.S. Joshi and others*** vs. ***State of Haryana and another,*** JT 2003 (3) SC 277, FIR No. 403 dated 13.12.2000 under Sections 498-A, 406/34 IPC, registered at Police Station City, Rewari and all the proceedings arising therefrom are quashed.

Petition is accordingly allowed.

February 15, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**